

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

2017 FEB 1 PM 1:12

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENNY RAY REGALADO,

Defendant.

§
§
§
§
§
§
§
§
§
§

CRIMINAL NO SA-14-CR-834 FB

SUPERSEDING INDICTMENT

[In violation of:

18 U.S.C. § 2252A(a)(2)

Receipt of Child Pornography;

18 U.S.C. § 2252A(a)(5)(B)

Possession of Child Pornography

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. § 2252A(a)(2)]

From in or about June, 2013, and continuing through February 2014, within the Western District of Texas, and elsewhere, the Defendant,

BENNY RAY REGALADO,

did knowingly receive any child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that has been shipped or transported using any means or facility of interstate and foreign commerce,

All in violation of Title 18, United States Code, Section 2252A(a)(2) and (b).

COUNT TWO

[18 U.S.C. § 2252A(a)(5)(B)]

On or about June 5, 6, and 7, 2013, within the Western District of Texas, the Defendant,

BENNY RAY REGALADO,

did knowingly possess material, specifically an HP Pavilion P6000 desktop computer, which contains an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which involved a prepubescent minor, which had been shipped and transported using

any means and facility of interstate and foreign commerce, and was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, including by computer,

All in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT THREE
[18 U.S.C. § 2252A(a)(5)(B)]

On or about December 29, 2013, within the Western District of Texas, the Defendant,

BENNY RAY REGALADO,

did knowingly possess material, specifically an HP Pavilion P6000 desktop computer, which contains an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which involved a prepubescent minor, which had been shipped and transported using any means and facility of interstate and foreign commerce, and was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, including by computer,

All in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT FOUR
[18 U.S.C. § 2252A(a)(5)(B)]

In or about August, 2009, within the Western District of Texas, the Defendant,

BENNY RAY REGALADO,

did knowingly possess material, specifically an HP Pavilion DV9000 laptop computer, which contains an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which involved a prepubescent minor, which had been shipped and transported using any means and facility of interstate and foreign commerce, and was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce,

including by computer,

All in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT FIVE

[18 U.S.C. § 2252A(a)(5)(B)]

In or about October, 2013, within the Western District of Texas, the Defendant,

BENNY RAY REGALADO,

did knowingly possess material, specifically a Western Digital MyBook External hard drive serial number WCAZAK420667, which contains an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which involved a prepubescent minor, which had been shipped and transported using any means and facility of interstate and foreign commerce, and was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, including by computer,

All in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

FORFEITURE COUNT

Pursuant to Federal Rule of Criminal Procedure 32.2 and Title 18 United States Code, Section 2253(a), as a result of the foregoing criminal violations set forth in the Indictment, specifically Title 18, United States Code Sections 2252A(a)(2), and 2252(a)(5)(B), the defendant BENNY RAY REGALADO shall forfeit to the United States any and all right, title and interest in any and all matter which contains visual depictions of minors engaged in sexually explicit conduct in violation of the charged offenses; any property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violations; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforementioned violations, including but not limited to the HP Pavilion P6000 desktop computer, and three Western Digital external drives, as well as an HP Pavilion DV9000 laptop

computer containing a 250 GB Western Digital internal hard drive.

A TRUE BILL.


FOREPERSON OF THE GRAND JURY

RICHARD DURBIN
UNITED STATES ATTORNEY

BY:


TRACY THOMPSON
Assistant United States Attorney